

# **EXHIBIT 4**

**For Federal civil complaint  
Brian David Hill v. Executive Office  
for United States Attorneys (EOUSA),  
United States Department of Justice  
(U.S. DOJ)**

Date: 3/20/2017  
Number of pages: 17

Attn.: Director, Office of Information Policy (OIP)

Recipient's number: T12025141009

Filename: C:\ProgramData\Venta\Fax & Voice 6\Out\Evidence of Audio in Court Transcripts to OIP(2)(Signed, READY to FAX) (2017-03-20)\_General (Letter).tif

File description: Evidence of Audio in Court Transcripts to OIP(2)(Signed, READY

Recipient's Fax ID: 2025141009

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To: U.S. Department of Justice

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## Fax Cover Page

Date: 3/20/2017

Time: 5:55:02 AM

Pages: 17

**To: U.S. Department of Justice**

**Attn.: Director, Office of Information Policy (OIP)**

**From: Brian David Hill**

**Fax ID: 276-790-3505**

**FOIA Appeal # DOJ-AP-2017-002520**

**--Letter to Office of Information Policy with Court Transcripts as Last Minute**

**Evidence before possible FOIA Lawsuit--**

**\*\*\*\*\*Freedom of Information Act Appeal\*\*\*\*\***

**FOIA Appeal # DOJ-AP-2017-002520**

**APPEAL and Response to FOIA Request to Executive Office for United States Attorneys - Re: FOIA-2016-03570**

**Monday, March 20, 2017 - 03:39 AM**

**---**

**ATTN: Director**

**Office of Information Policy (OIP)**

**United States Department of Justice**

**Suite 11050**

**Washington, DC 20530-0001**

**Phone: (202) 514- 3642 (FOIA)**

**Fax: (202) 514-1009**

**CC: Office of the Inspector General**

**CC: Office of Professional Responsibility**

**OGIS Mediation Case No.**

**201701674**

**Office of Government Information Services**

**National Archives**

**8601 Adelphi Road-OGIS**

**College Park, Maryland 20740-6001**

**Phone: (202) 741-5770 /// Fax: (202) 741-5769**

**URGENT**

RECEIPT CONFIRMATION  
REQUESTED

# Fax Cover Page

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**\*\*\*\*\*Freedom of Information Act Appeal\*\*\*\*\***

**FOIA Appeal # DOJ-AP-2017-002520**

**APPEAL and Response to FOIA Request to Executive Office for United States Attorneys – Re: FOIA-2016-03570**

**Monday, March 20, 2017 - 03:39 AM**

**---**

**ATTN: Director**

**Office of Information Policy (OIP)**

**United States Department of Justice**

**Suite 11050**

**Washington, DC 20530-0001**

**Phone: (202) 514- 3642 (FOIA)**

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**URGENT**

RECEIPT CONFIRMATION  
REQUESTED

--Letter to Office of Information Policy with Court Transcripts as Last Minute  
Evidence before possible FOIA Lawsuit--

\*\*\*\*\***Freedom of Information Act Appeal**\*\*\*\*\*

**FOIA Appeal # DOJ-AP-2017-002520**

**APPEAL and Response to FOIA Request to Executive Office for**

**United States Attorneys – Re: FOIA-2016-03570**

**Monday, March 20, 2017 - 03:39 AM**

<b>ATTN: Director</b> Office of Information Policy (OIP) United States Department of Justice 1425 New York Avenue, NW, Suite 11050 Washington, DC 20530-0001 Phone: (202) 514- 3642 (FOIA) Fax: (202) 514-1009	<b>FOIA Appeal Case No. DOJ-AP-2017-002520 // OGIS Mediation Case No. 201701674</b> Office of Government Information Services National Archives 8601 Adelphi Road-OGIS College Park, Maryland 20740-6001 Phone: (202) 741-5770 /// Fax: (202) 741-5769
<b>CC: <u>Office of the Inspector General</u></b> U.S. Department of Justice 950 Pennsylvania Avenue, N.W., Suite 4706	Washington, D.C. 20530-0001 Phone: (202) 514-3435 Faxed to: (202) 514-4001
<b>CC: <u>Office of Professional Responsibility</u></b> U.S. Department of Justice 950 Pennsylvania Avenue, N.W., Suite 3529	Washington, DC 20530-0001 Phone: (202) 514-3365 Faxed to: (202) 514-5050

Dear Office of Information Policy (OIP), Re: Case No DOJ-AP-2017-002520,

I submit my last-minute evidence to the U.S. Department of Justice, Office of Information Policy, in regards to my FOIA Appeal # DOJ-AP-2017-002520.

The attached/enclosed document in this FAX letter, does not need to be declared under Oath, since the excerpted materials can be found within the Official Transcripts of the U.S. District Court, for the Middle District of North Carolina, Greensboro Division.

Not only does the Court Transcripts further prove that the U.S. Attorney had the “confession audio CD” aka the “audio CD” of my confession on August 29, 2012, which I had formally requested in my original FOIA Request # FOIA-2016-03570. The other issue that it further proves that disclosure is necessary for the benefit of the public good, for the benefit of correcting an injustice within our Federal Courts, correcting false information on Federal Court records, and correcting a wrongful conviction. Disclosing the false confession Audio CD is necessary for the interests of the general public, for the interests of justice far outweigh the need to suppress the truth from this particular criminal case matter which was to had to go before a public Jury Trial with no legal means nor any

resources to be able to come up with a criminal Defense which more likely than not, would have the finding of "Not Guilty" had I been given effective Counsel.

In accordance with my previous faxes including my March 16, 2017 1:47AM FAX to the OIP Fax number 202-514-1009 of what was originally faxed to The White House, and my previous fax March 17, 2017 12:57AM, to the OIP at the very same fax number, it all ties into all evidence that I have previously submitted for my FOIA Appeal and may be useful in resolution if a FOIA lawsuit is necessary. It also ties into the Court Transcripts and the arguments I make for this Last-Minute evidence that will be faxed to the Office of Information Police (OIP) and the Office of Government Information Service (OGIS) mediators, before I will start really pushing for a lawyer or lawyers, or even law school groups, to start up with filing a FOIA Lawsuit if that will be necessary to hold the U.S. Attorney accountable for covering up evidence which it's sole purpose was to prevent me from prevailing in my FOIA Request to get access to the discovery evidence records material that was originally used against me in my criminal case, thanks to strict stipulations and sabotage from Assistant Federal Public Defender Eric David Placke.

Excerpting from Official Transcript of September 3, 2014, Motion Hearing, in L. Richardson Preyer Federal Building and U.S. Courthouse, by U.S. Court Reporter Joseph B. Armstrong, RMR, FCRR:

THE COURT: And so is it fair -- do those -- and I'm not trying to embarrass you. I just need to get to the bottom of this issue that you have raised. You mentioned OCD, obsessive compulsive disorder. When you were originally debriefed in this case -- or when you were originally arrested and confronted by law enforcement, you told those officers that someone else must have downloaded those images to your computer, is that correct?

THE DEFENDANT: Yes, sir.

THE COURT: Am I remembering correctly, Mr. Placke?

MR. PLACKE: In part, Your Honor. There was a noncustodial interview conducted the day after the search warrant. It was recorded, and I've listened to it several times, played it with Mr. Hill. That was said initially. Later, the course of the interview changed, and Mr. Hill told the officers that he had downloaded child pornography.

THE COURT: That's right. There was an initial statement, and then later that changed.

Mr. Hill, ultimately, you can tell -- you can talk to your lawyer about whatever you think might be helpful to you in defending a case. Do you understand?

THE DEFENDANT: Yes, sir.

I don't understand why the Federal Judge William Lindsey Osteen Junior, corruptly protected the Public Pretender Eric David Placke, whom made very well sure that nobody would get access to the discovery evidence used in my criminal case, and let me only review a portion of that entire evidence, before the Jury Trial, making very well sure that I wouldn't be able to properly defend against the U.S. Attorney's claims, and then EOUSA's FOIA response does not even contain the audio CD of my own false confession.

It was even admitted in Court Transcript, from my September 3, 2017 hearing, that I made an initial statement that somebody else put child pornography on my computer, which of course was what I said at the beginning of the police interrogation on August 29, 2012, when I told them about a "Trojan horse" unauthorized computer hacking program, which later I discovered may be Win32/MoliVampire.A and/or Win32/MoliVampire.B, because of what I saw in the Task Manager with different unauthorized programs.

Excerpting from Official Transcript of September 3, 2014, Motion Hearing, in L. Richardson Preyer Federal Building and U.S. Courthouse, by U.S. Court Reporter Joseph B. Armstrong, RMR, FCRR:

THE COURT: But at the end of the day, the question becomes what evidence will be presented by the Government, what evidence will there be of what you say may have occurred. Do you understand that?

THE DEFENDANT: Yes, sir.

THE COURT: So let's say that Mr. Placke went out and got all this evidence to support what you have said about somebody else must have downloaded these images to my computer. You're still left with a problem, and that is you've admitted that you did it. Do you understand that?

THE DEFENDANT: Yes, sir.

Again, I don't understand why Mr. Placke and the U.S. Attorney, to this day, have continued ignoring evidence that I gave false confession statements, and that my confession statements can be proven false via cross examination between the SBI Case File (Also in my original FOIA Request to the Executive Office for U.S. Attorneys (EOUSA)). I told the police detectives that I had download child pornography for about a year or so, yet the SBI Case File said that the only active downloads from eMule began on July 20, 2012, and ended on July 28, 2013, after my Black Toshiba Laptop Computer, Satellite C655D was seized on August 28, 2012. So my claim of downloading child porn for "about a year or so" was proven false. None of that was ever brought up by Mr. Placke. I also told the Police Detectives on August 29, 2012, that child porn was on my Netbook, on the very Netbook that they did not get in their search. Yet that same Netbook was returned to Mayodan Police Department by N.C. State Bureau of Investigation (SBI) Special Agent Rodney V. White because no child porn, not even suspected, not even files

of interest, were even found on the ASUS Eee PC Netbook computer. So my lawyer did nothing to prove that my confession statements were false.

My Attorney Mr. Placke, whom the Federal Judge defended as if he were God, also refused to bring to the Court's attention the coercion and manipulation of my Autism and OCD into making me believe things that weren't true. I told the Detectives that it was a Trojan Horse, aka a computer hacker can use a virus or Trojan to conduct illegal activities on my computer and the real culprits will never get caught because I'm the one that got raided. They told me that "we found child porn on your computer"..."you better just tell us"..."we are going to find more"..."All we are finding is more child porn" but they never show me any of the things that they claimed they had found. They had no evidence, they just made the claim to make me feel that I would be under arrest if I don't falsely confess to cooperate with them. Not just that, but Chief Caruso stating that my mom would be held responsible if I didn't "fess up". The coercion, or at least some bits and pieces of it, can be heard within the confession audio. However a Federal Judge is not a forensic expert and a lawyer is not a forensic expert. That is why the discovery restrictions that Mr. Placke claimed that I cannot discuss the discovery evidence to third parties, is a load of BS. In other words, I wasn't allowed by Mr. Placke to have any forensic experts review over my confession audio and cross examine to demonstrate evidence that my confession was false, and is inadmissible for Jury Trial.

That is exactly why I need my FOIA Request to be completely fulfilled, to the extent where the U.S. Attorney Office and/or the EOUSA provides me with a copy of the SBI Case File that was used against me in Federal Court, and a copy of the Confession "audio cd" that was originally used against me in Federal Court.

It is of my Constitutional right, it is of my right as a criminal Defendant, not just under the FOIA law, but under the interest of Justice, that I be given full disclosure of the Discovery materials that were originally used against me. The fact that I was even given a portion in my FOIA response packet (Citing FOIA Case # from EOUSA: FOIA-2016-03570) should VOID the discovery agreement restrictions, and that the U.S. Attorney has agreed (under implied consent) to give me access to the discovery materials from my criminal case, but has excluded the SBI Case File, my Presentence Investigation Report (PSI), the Search Warrant, Page 20 of the Mayodan Police Report, and the confession audio CD.

The fact that the Judge admitted in a public hearing, that I made an initial statement to the police, but then my statement of Innocence, changed to my false statement of guilt, shows such a contradiction, but I cannot prove any of that without access to the "audio" of my confession from August 29, 2012. That is why my FOIA Request specifically requests access to or a copy of the "audio CD" containing my confession from that time. The U.S. Attorney not having this in their record is either false, or the U.S. Attorney is attempting to evade my FOIA Request, so that I cannot prove any



facts concerning my Actual Innocence.

Excerpting from Official Transcript of September 3, 2014, Motion Hearing, in L. Richardson Preyer Federal Building and U.S. Courthouse, by U.S. Court Reporter Joseph B. Armstrong, RMR, FCRR:

**THE COURT:** That's right. There was an initial statement, and then later that changed.

**Mr. Hill,** ultimately, you can tell -- you can talk to your lawyer about whatever you think might be helpful to you in defending a case. Do you understand?

**THE DEFENDANT:** Yes, sir.

My lawyer did not defend me at all, it was me having to prove my own innocence and act as my own lawyer. I wasn't given a defense lawyer but a lawyer willing to completely work with the U.S. Attorney aka the prosecutor, avoiding any evidence and statements I make that could change the tide and allow me to be found "Not Guilty".

Excerpting from Official Transcript of September 30, 2014, Hearing, in L. Richardson Preyer Federal Building and U.S. Courthouse, by U.S. Court Reporter Joseph B. Armstrong, RMR, FCRR:

**THE COURT:** What does the autism got to do with his guilt or innocence?

**MS. BURNETT:** Because we're around Brian all the time, and he does not like children at all. He's like a child. I mean, when it comes time to watch a parade or anything like that, he doesn't even recognize the children there. He walks up front and takes his pictures.

**THE COURT:** Have you seen any of the forensic evidence in the case?

**MS. BURNETT:** No, sir.

**THE COURT:** Have you seen any of the images?

**MS. BURNETT:** No, sir.

**THE COURT:** Are you aware of any of the statements that Brian gave law enforcement officers at the time of his arrest --

**MS. BURNETT:** Yes, sir, we are.

**THE COURT:** -- or at the time of the search?

**MS. BURNETT:** Yes, sir, but --

**THE COURT:** What did he tell them at that time?

**MS. BURNETT:** At the time of the search?

See another issue was that the Federal Judge expected my family to have already looked through the discovery evidence before they made their testimony, as if they were



**supposed to read the very forensic report that Mr. Placke barred them from seeing.**

**The Federal Judge suggested/hinted that my family was supposed to be aware of the very evidence or statements made in regards to my guilt or innocence, for any testimony to be valid, yet Mr. Placke used the secretive discovery agreement and tried to bar anybody, including possible forensic experts, from even reviewing over any of the evidence that was used against me. What a horrible Prosecuting Attorney I was appointed to act as my Defense lawyer, Mr. Eric David Placke.**

**The confession Audio CD is needed for experts to review over before I can file a 2255 Motion based upon solid claims of Actual Innocence. That includes psychologists, psychiatrists, linguists, medical experts, etc etc.**

**The SBI Case File is needed for experts to review over before I can file a 2255 Motion based upon solid claims of Actual Innocence. That includes independent computer forensic experts, private investigators, and conduct cross examinations with the other evidence that was originally used against me. The Federal Judge asked what does Autism have to do with my guilt of Innocence? Well that was supposed to be what a Defense Attorney was to get an expert for.**

**Anyways, this is the last of the evidence that you will need to file for my FOIA Appeal, before making a final determination regarding my FOIA Appeal # DOJ-AP-2017-002520. The Administrative FOIA Offices has the power to override the EOUSA and the U.S. Attorneys, by demanding that the EOUSA and the U.S. Attorney attempt to locate the covered up or missing SBI Case file, Confession Audio CD, Page 20 of the Mayodan Police Report, and the Search Warrant that was also missing from the FOIA Response packet.**

**I will not continue allowing the U.S. Attorney Office in Greensboro, NC, to be playing dirty games against me and my family. I will do whatever it takes to prove my Innocence. At this point, I do not care as to whether North Carolina State Senator Phil Berger Senior and/or his family had the possible chance of ordering or influencing the U.S. Attorney to cover up, destroy, or conceal evidence because I cannot prove it in a factual basis, only as my opinion until I can prove it as fact. I have to stick to what I can prove so that I am not called delusional. What I can prove is that I did a FOIA Request, with a copy FAX'ed to the U.S. Attorney which explained that I needed the discovery packet for the purpose of proving my innocence and overturning my wrongful criminal conviction. For the evidence to have simply disappeared from the U.S. Attorney Office, right after I started finding holes in the U.S. Attorney's indicted case of guilt against me, shows that the U.S. Attorney was afraid of me being exonerated, afraid of me proving that the U.S. Attorney may have used fake or fraudulent evidence against me.**

**I am willing to risk my life, I am willing to go after Phil Berger in my bid to proving**

my Innocence, if that becomes my last resort. I will send Private Investigators to investigate Phil Berger, look through every record and prove that even the U.S. Attorney and the Federal Judges in Greensboro, NC, may have some connection to the Phil Berger political family in North Carolina. I will find those sympathetic to my cause until I prove outright conspiracy by the U.S. Attorney to politically shut me up for USWGO Alternative News, and ruin my life so that I cannot live my life without being shamed by society for a crime that I was framed on.

I am hoping that the entire Justice Department is not working against me, because I will file lawsuits against all of my enemies, until I get true Justice and be off the Sex Offender Registry. I will do whatever it takes, I am persistent, and if I have to file a lawsuit with 100 Attorneys, 1000 paralegals, 10,000 members of the press, I will do whatever it legally takes to fight back politically against all subversives who get in my way, until I prove my Actual Innocence against my enemies such as Phil Berger the corrupt State Senator with such a suspicious squeaky clean record, and the corrupt Mayodan Police Department under the Town Attorney Phil Berger. I will not entertain any more years of being a False Sex Offender for satisfaction of Phil Berger and the Mayodan Police to protect the Berger Family political hierarchy of corruption and dealings. I will file 100 lawsuits, if necessary, to prove my Innocence. I have a right to prove my Innocence to the crime that I was accused of, it is my Constitutional right, I don't care what John Walsh thinks, as his opinions regarding Sex Offenders don't matter when every Defendant has a Constitutional right to proving Actual Innocence. I don't care what Congress thinks when they had passed the Adam Walsh Act. I am going to prove my Innocence, regardless of what corrupt and non-corrupt people think about me.

“Unlike the review of other agency action that must be upheld if supported by substantial evidence and not arbitrary or capricious, the FOIA expressly places the burden ‘on the agency to sustain its action’ and directs the district courts to ‘determine the matter de novo.’” Reporters Comm., 489 U.S. at 755 (quoting 5 U.S.C. § 552(a)(4)(B)). “At all times courts must bear in mind that FOIA mandates a ‘strong presumption in favor of disclosure’ . . . .” Nat’l Ass’n of Home Builders v. Norton, 309 F.3d 26, 32 (D.C. Cir. 2002) (quoting Dep’t of State v. Ray, 502 U.S. 164, 173 (1991)).

Congress enacted FOIA “to pierce the veil of administrative secrecy and to open agency action to the light of public scrutiny.” Dep’t of Air Force v. Rose, 425 U.S. 352, 361 (1976) (citation omitted). “The basic purpose of FOIA is to ensure an informed citizenry, vital to the functioning of a democratic society, needed to check against corruption and to hold the governors accountable to the governed.” John Doe Agency v. John Doe Corp., 493 U.S. 146, 152 (1989) (citation omitted).

**“[O]ur system of justice must be a fair and equitable one. The public interest in ensuring that no innocent person is convicted of a crime far outweighs any privacy interest in withholding the information.” - Quote from ADOLFO CORREA COSS v. UNITED STATES DEPARTMENT OF JUSTICE, et al.,**

**I have a right to prove my Actual Innocence, and the purpose of my original FOIA Request is quite clear, that the interests of Justice and correcting a false Sex Offender registration, fixing the integrity of the Federal Courts, fixing the integrity of justice, righting the wrongs done in our legal system, it all outweighs the need to conceal and prohibit disclosure to me. The U.S. Attorney should find what they covered up and release to the EOUSA paralegal, and should release to me promptly before I am forced to file a Rule 33 Motion for a New Trial, by the deadline of June 10, 2017. I will file, I will change Venue in my criminal case, and be found not guilty.**

**I must prove my Innocence, and for that I must get access to all records and the Audio CD that was originally requested in my FOIA Request to EOUSA.**

*Brian D. Hill*  
*Signed*

**U.S.W.G.O.**

Thank You & Sincerely,  
Brian D. Hill

Former news reporter & Founder of USWGO Alternative News  
Home Phone #: (276) 790-3505  
310 Forest Street, Apt. 2. Martinsville, VA 24112

**Enclosure/Attachments:**

- 1. Pages 8 and 9 of the Official Transcript of September 3, 2014, Motion Hearing, in L. Richardson Preyer Federal Building and U.S. Courthouse, by U.S. Court Reporter Joseph B. Armstrong, RMR, FCRR. In addition to that, Page 1 and the last Page was also included to show proof that the pages were excerpted from the original certified digital copy that my family received and gave to me in PDF format.**
- 2. Pages 5 and 6 of the Official Transcript of September 30, 2014, Hearing, in L. Richardson Preyer Federal Building and U.S. Courthouse, by U.S. Court Reporter Joseph B. Armstrong, RMR, FCRR. In addition to that, Page 1 and the last Page was also included to show proof that the pages were excerpted from the original certified digital copy that my family received and gave to me in PDF format.**

1 THE DEFENDANT: Yes, sir.

2 THE COURT: By a psychologist or a psychiatrist?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: And are there any other conditions that  
5 you have that you are aware of?

6 THE DEFENDANT: I think so.

7 THE COURT: What is it -- what do you think?

8 THE DEFENDANT: I know I have mild autism, OCD, and,  
9 you know, obsessive compulsive disorder, and, you know, I have  
10 a lot of anxiety, so general anxiety disorder.

11 THE COURT: And so is it fair -- do those -- and I'm  
12 not trying to embarrass you. I just need to get to the bottom  
13 of this issue that you have raised. You mentioned OCD,  
14 obsessive compulsive disorder. When you were originally  
15 debriefed in this case -- or when you were originally arrested  
16 and confronted by law enforcement, you told those officers that  
17 someone else must have downloaded those images to your  
18 computer, is that correct?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Am I remembering correctly, Mr. Placke?

21 MR. PLACKE: In part, Your Honor. There was a  
22 noncustodial interview conducted the day after the search  
23 warrant. It was recorded, and I've listened to it several  
24 times, played it with Mr. Hill. That was said initially.  
25 Later, the course of the interview changed, and Mr. Hill told

1 the officers that he had downloaded child pornography.

2 THE COURT: That's right. There was an initial  
3 statement, and then later that changed.

4 Mr. Hill, ultimately, you can tell -- you can talk to  
5 your lawyer about whatever you think might be helpful to you in  
6 defending a case. Do you understand?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: But at the end of the day, the question  
9 becomes what evidence will be presented by the Government, what  
10 evidence will there be of what you say may have occurred. Do  
11 you understand that?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: So let's say that Mr. Placke went out and  
14 got all this evidence to support what you have said about  
15 somebody else must have downloaded these images to my computer.  
16 You're still left with a problem, and that is you've admitted  
17 that you did it. Do you understand that?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Do you understand the problems that that  
20 causes?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: And do you understand that those are  
23 things you need to discuss with your attorney?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Regardless of who that is?

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA                    ) Greensboro, North Carolina  
  ) September 3, 2014  
      vs.                                        ) 10:57 a.m.  
  )  
BRIAN DAVID HILL,                            )  
  )  
      Defendant.                              ) Case No. 1:13CR435-1  
  )  
\_\_\_\_\_)

TRANSCRIPT OF MOTION HEARING  
BEFORE THE HONORABLE WILLIAM L. OSTEEN, JR.  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government:   TIMOTHY NICK MATKINS, AUSA  
                          Office of the U.S. Attorney  
                          PO BOX 1858  
                          Greensboro, North Carolina 27402

For the Defendant:   ERIC D. PLACKE, AFPD  
                          Office of the Federal Public Defender  
                          301 N. Elm Street, Suite 410  
                          Greensboro, North Carolina 27401

Court Reporter:       Joseph B. Armstrong, RMR, FCRR  
                          324 W. Market, Room 101  
                          Greensboro, NC 27401

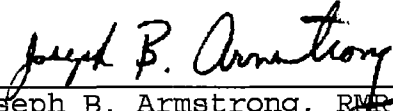
Proceedings reported by stenotype reporter.  
Transcript produced by Computer-Aided Transcription.

1 \* \* \* \* \*

2 C E R T I F I C A T E

3 I certify that the foregoing is a correct transcript  
4 from the proceedings in the above-entitled matter.

5  
6 Date: 06/24/2015

  
7 Joseph B. Armstrong, RMR, FCRR  
8 United States Court Reporter  
9 324 W. Market Street  
10 Greensboro, NC 27401  
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1 THE COURT: What does the autism got to do with his  
2 guilt or innocence?

3 MS. BURNETT: Because we're around Brian all the  
4 time, and he does not like children at all. He's like a child.  
5 I mean, when it comes time to watch a parade or anything like  
6 that, he doesn't even recognize the children there. He walks  
7 up front and takes his pictures.

8 THE COURT: Have you seen any of the forensic  
9 evidence in the case?

10 MS. BURNETT: No, sir.

11 THE COURT: Have you seen any of the images?

12 MS. BURNETT: No, sir.

13 THE COURT: Are you aware of any of the statements  
14 that Brian gave law enforcement officers at the time of his  
15 arrest --

16 MS. BURNETT: Yes, sir, we are.

17 THE COURT: -- or at the time of the search?

18 MS. BURNETT: Yes, sir, but --

19 THE COURT: What did he tell them at that time?

20 MS. BURNETT: At the time of the search?

21 THE COURT: Yes, ma'am.

22 MS. BURNETT: Something about being interested in 12  
23 year olds, but we've never --

24 THE COURT: What did he tell them at that time?

25 MS. BURNETT: Tell?

1 THE COURT: Law enforcement at the time of the  
2 search.

3 MS. BURNETT: Did you not see the papers we sent you?

4 THE COURT: I'm asking you.

5 MS. BURNETT: What did he -- I wasn't there. Oh, I  
6 was at the search.

7 THE COURT: Yes, what did he tell law enforcement at  
8 the time of the search?

9 MS. BURNETT: Nothing.

10 THE COURT: Nothing?

11 MS. BURNETT: No, we were all on the front porch.  
12 They called him in, and we weren't in there.

13 THE COURT: You didn't hear what was said at the  
14 time?

15 MS. BURNETT: At the time of the search, no, I  
16 didn't.

17 THE COURT: So you don't know whether he admitted to  
18 the conduct or not?

19 MS. BURNETT: No, sir. We just know that we have  
20 been lied to by the same police that say he said that. We have  
21 been lied to. We sent that to the Court, yes, sir, we have.  
22 By the same officers --

23 THE COURT: Why would you communicate to this -- have  
24 you ever met this woman?

25 MS. BURNETT: Met whom?

1                   IN THE UNITED STATES DISTRICT COURT  
2                   MIDDLE DISTRICT OF NORTH CAROLINA

3 UNITED STATES OF AMERICA                   ) Greensboro, North Carolina  
4                   ) September 30, 2014  
5                   ) 11:11 a.m.  
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7                   TRANSCRIPT OF HEARING  
8                   BEFORE THE HONORABLE WILLIAM L. OSTEEN, JR.  
9                   UNITED STATES DISTRICT JUDGE

10 APPEARANCES:

11 For the Government: ANAND P. RAMASWAMY, AUSA  
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19 Court Reporter: Joseph B. Armstrong, RMR, FCRR  
20                   324 W. Market, Room 101  
21                   Greensboro, NC 27401

22                   Proceedings reported by stenotype reporter.  
23                   Transcript produced by Computer-Aided Transcription.  
24  
25

1 practicing attorney.

2 All right. If there's nothing further then, we'll  
3 stand in recess until 2:00.

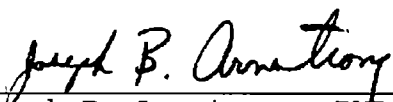
4 (At 11:49 a.m., proceedings concluded.)

5 \* \* \* \* \*

6 C E R T I F I C A T E

7 I certify that the foregoing is a correct transcript  
8 from the proceedings in the above-entitled matter.

9  
10 Date: 06/24/2015

  
\_\_\_\_\_  
11 Joseph B. Armstrong, RMR, FCRR  
12 United States Court Reporter  
13 324 W. Market Street  
14 Greensboro, NC 27401  
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